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Letter dated 17 February 2010 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 18 December 2009 addressed to you (A/64/607-S/2009/668), I have the honour to draw your attention to ongoing violations of the international air traffic regulations and the national airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force, recorded from 4 December 2009 to 29 January 2010, as follows:

On 4 and 6 December 2009, two CN-235 Turkish military aircraft violated international air traffic regulations four times and the national airspace of the Republic of Cyprus four times.

On 7 December 2009, one CN-235 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 8 December 2009, four F-4, one CN-235 and one Cougar Turkish military aircraft violated international air traffic regulations twice.

On 9 December 2009, one B-200 and three Cougar Turkish military aircraft violated international air traffic regulations five times and the national airspace of the Republic of Cyprus five times.

On 10 December 2009, two Cougar Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 15 December 2009, two F-16 and one CN-235 Turkish military aircraft violated international air traffic regulations twice.

On 16 December 2009, one CN-235 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

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On 17 December 2009, two F-16 and two CN-235 Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus twice.

On 20 December 2009, one CN-235 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 23 and 24 December 2009, two F-16, two CN-235 and one B-200 Turkish military aircraft violated international air traffic regulations six times and the national airspace of the Republic of Cyprus four times.

On 30 December 2009, one CN-235 and one Cougar Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus twice.

On 5 and 6 January 2010, two F-16 and three CN-235 Turkish military aircraft violated international air traffic regulations five times and the national airspace of the Republic of Cyprus three times.

On 7 January 2010, two F-16 and two CN-235 Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus.

On 11 January 2010, two F-4 and one CN-235 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 13 January 2010, one B-200 and one Cougar Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus three times.

On 14 January 2010, one Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 15 January 2010, one C-160 and one Cougar Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus three times.

On 18 January 2010, two F-16 and one CN-235 Turkish military aircraft violated the national airspace of the Republic of Cyprus twice.

On 20 January 2010, one C-160, one CN-235, one Cougar and two Turkish military aircraft of un unknown type violated international traffic regulations five times and the national airspace of the Republic of Cyprus five times.

On 21 January 2010, four F-16, one CN-235 and two Cougar Turkish military aircraft violated international air traffic regulations five times and the national airspace of the Republic of Cyprus twice.

On 22 and 24 January 2010, one C-160 and three Bell Turkish military aircraft violated international air traffic regulations five times and the national airspace of the Republic of Cyprus three times.

On 25 January 2010, one Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 26 January 2010, two F-16, one CN-235, two Cougar and three Cessna Turkish military aircraft violated international air traffic regulations twice.

On 27 January 2010, two F-16, one CN-235, one B-200 and one Bell Turkish military aircraft violated international air traffic regulations five times and the national airspace of the Republic of Cyprus twice.

On 28 January 2010, two Cougar Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 29 January 2010, one Bell Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On behalf of my Government, I strongly protest the aforementioned continued violations by Turkey and call for their immediate cessation.

Turkey's policy of non-observance of rules and regulations governing international aviation continues to gravely jeopardize flight safety and perpetuate insecurity and apprehension on the island. Furthermore, Turkey's systematic attempts to undermine the sovereignty and unity of the Republic of Cyprus by promoting an illegal secessionist entity, arrogating to itself, inter alia, the right to control part of the airspace of the Republic of Cyprus, further complicate the efforts to build trust and confidence between the two communities. Such policies and actions provide ample demonstration of the irresponsible behaviour of a country that now serves as a non-permanent member of the Security Council.

As stated in previous such letters, the continued violations of the international air traffic regulations and the national airspace of the Republic of Cyprus by Turkey should be included in the report of the Secretary-General on the United Nations operation in Cyprus.

The Government of Turkey should heed the call of the international community, abide by the Charter of the United Nations and respect the sovereignty, independence and territorial integrity of the Republic of Cyprus, thus contributing to the creation of the required conditions for the achievement of a viable solution to the Cyprus problem, according to the agreed basis endorsed by numerous Security Council resolutions.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) Minas A. **Hadjimichael**

United Nations

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Letter dated 12 February 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Rwanda to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith a letter addressed to the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004), conveying additional information on members of the Forces démocratiques de libération du Rwanda (FDLR) and the Rally for Unity and Democracy (RUD-Urunana) and other individuals referred to in the final report of the Group of Experts on the Democratic Republic of the Congo dated 9 November 2009 (S/2009/603) (see annex).

I would be grateful if this letter and its enclosure could be issued as a document of the Security Council.

(*Signed*) Alfred **Ndabarasa**
Chargé d'affaires a.i.

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Annex to the letter dated 12 February 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Rwanda to the United Nations addressed to the President of the Security Council

I have the honour to refer to the final report of the Group of Experts on the Democratic Republic of the Congo (S/2009/603) and to convey, in the enclosure annexed herewith, supplementary information on members of FDLR or RUD-Urunana who were cited in the report of the Group of Experts, for the future consideration of the Security Council Committee established pursuant to resolution 1533 (2004).

Let me take this opportunity to underline that my Government requests the Committee's action, pursuant to paragraph 19 of resolution 1896 (2009), and I would welcome an opportunity to further brief the Committee on this subject, pursuant to paragraph 4 (c) of resolution 1896 (2009), should the Committee so deem necessary and appropriate.

In this connection, I wish to recall that on 15 May 2008, Rwanda conveyed to the Committee a list of 19 individuals for targeted sanctions, of whom the Committee listed four individuals. Let me take this opportunity to reiterate my Government's keen interest that the Committee consider imposing targeted sanctions on the remaining 15 individuals.

Let me also take this opportunity to recall recommendation No. 1 in the final report of the Group of Experts (see S/2009/603, para. 378), by which the Group called upon Member States to adopt a coordinated and consistent approach in their efforts to dismantle the FDLR support networks using their territories as a rear base. My Government looks forward to the Committee's support in this regard.

(*Signed*) Alfred **Ndabarasa**
Chargé d'affaires a.i.

Enclosure

SUPPLEMENTARY INFORMATION REGARDING MEMBERS OF THE FDLR, RUD-URUNANA AND OTHER INDIVIDUALS CITED IN THE FINAL REPORT OF THE GROUP OF EXPERTS (S/2009/603)

1. **Lt. Col. NIZEYIMANA Wenceslas** *(Paragraph 66, page 18 of the Group's final report)*

Lt. Col. Nizeyimana Wenceslas is the Deputy military Commander of RUD-Urunana. He is personally responsible for crimes committed by RUD troops under his command including killings, abductions, rape, lootings, recruitment of child soldiers, sexual abuses, illegal trade, mining and taxation, arms proliferation and other crimes.

According to paragraph 66 of the Group's report, Col Nizeyimana was instrumental in organizing the visit of FDLR president, Ignace Murwanashyaka, to Uganda in 2006, in violation of the latter's travel ban imposed in November 2005. During this well documented visit, Mr. Murwanshyaka had subsequently been transported from the DRC-Uganda border at Kasindi to areas around Kasugho.

Through the Group's consultations with active officers and demobilized RUD-URUNANA elements, it emerged that hundreds of recruits have been sourced by RUD-URUNANA and FDLR networks since January 2009 from refugee camps in Uganda, near the border with DRC, in particular the camps of Nyakivale and Cyaka. Information received by the Group cites waves of recruitment in May, June, September and October 2009. Col. Wenceslas Nizeyimana, alias Peter Kabasha – Bahati Patrick, a former FDLR liaison officer in Kampala is one of the key organizers of these recruitments.

Known biometric data

a) Full name: Wenceslas NIZEYIMANA
b) Nicknames/alias: Kit, Mucyo, Kabasha, Petero, Bahati, Patrick, Ephrain
c) Rank: Lt. Col
d) Date of birth: 28/03/1965
e) Place of birth: Ruhondo, Ruhengeri
f) Father: Uwimana
g) Mother: Nyiramatabaro
h) Position / Rank held in 1994: Sub–Lieutenant, worked in logistics (G4) at Military HQ in Kigali.
i) Current title/assignment: Deputy Commander of RUD-Urunana
j) Current location: Mashuta, Lubero, DRC
k) Civilian education: Student at Secondary School at Ruhondo, thereafter served as a teacher at Ruhondo Primary School before he entered the Senior Military Academy (ESM).
l) Military education: ESM 30th Intake
m) Significant actions/activities:

- In 2001, he was named the deputy commander of the brigade known as Roquette which was under the command of Musare. This brigade operated in North Kivu, especially in Rutchuru and Walikale.
- In March 2004, he was appointed as RUD–Urunana's liaison officer based in Kampala with the rank of Major.
- He is implicated in the death of the Belgian UN soldiers killed in camp Kigali where he was based then.

2. **Maj. Willy Guillaume Simba** *(paragraphs 348 and 349 of the Group's final report)*

Maj. Willy Guillaume Simba is known in FDLR rank and file as Capt. Pierre-Celestin RURAKABIJE alias Simba Guillaume. He commands FOCA 1st Company of 3Bn/Reserve Bde which is commanded by Lt. Col. Deo NIYITEGEKA alias Gerard Rutebuka/Rubura Rugwa. This Bn operates in Ramba/Bunyakiri general area along Masisi-Kalehe border.

In addition to Maj. Willy Guillaume Simba whom the UN Group of experts on DRC proposed for sanctioning, Lt. Cols. Lucien NZABANITA, *alias Karume Andre* and Deo NIYITEGEKA *alias Gerard Rutebuka/Rubura Rugwa* Comdrs of FOCA Reserve Bde and 3Bn/Reserve respectively should also be included on the proposed sanctions list since they are his immediate superior Comdrs. As a

Company Comdr, Guillaume Willy receives orders and executes tasks from his Bn Comdr, which are orders from the Reserve Bde Comdr.

3. Lt. Col. **Deo Niyitegeka alias Gerard Rutebuka/Rubura Rugwa**

Lt. Col. Niyitegeka served in different capacities in FOCA. Prior to his appointment as the Comdr of FDLR 3Bn/Reserve Bde in 2007, he commanded a company of FOCA Military Police operating in South Kivu Province. He is a senior planner for FDLR 3Bn/Reserve Bde activities, and a propagandist, responsible for crimes committed by all troops under his command including killings, abductions, rape, lootings, recruitment of child soldiers, sexual abuses, illegal trade, mining and taxation, arms proliferation and other crimes committed in the area under his control.

Known biometric data

He was born in 1964 in former commune Rambura currently Nyabihu District, Western Province. He is married to Nyirinjeneri Jacqueline who currently lives in Zambia with their children. He fled to DRC in July 1994 at a rank of 2Lt.

4 **Lt Col Lucien Nzabanita** *(Paragraph 54, page 15 of the Group's final report)*

Lt. Col Lucien Nzabanita is the commander of the FDLR's notorious Reserve Brigade. He is a senior planner for FDLR activities and a propagandist responsible for crimes committed by all troops under his command including killings, abductions, rape, lootings, recruitment of child soldiers, sexual abuses, illegal trade, mining and taxation, arms proliferation and other crimes committed in the area under his control.

Known biometric data

a. Nicknames/alias: Kalume André ; Félicien
b. Rank: Lt. Col
c. Date of birth: 01/01/1966
d. Place of birth: Kinyami, Byumba
e. Father: Damien MUNYAGIPIMO
f. Mother: Alivera MUKAGASANA
g. Current title/assignment: Commander Reserve Brigade
h. Current location: Ngingo, Kibua, North Kivu province, DRC
i. Marital Status (wife/s, children): Married, wife and two children living in Uganda

j. Religion: Catholic
k. Physical traits: Short, Prominent Jaws
l. Civilian education: Secondary Scholl at Lycée Rugunga (Mathematics and Physics)from 1981-1987
m. Military education: ESM, 28th Intake
n. Significant actions/activities: Platoon Commander 33rd Battalion at Rusumo (Eastern Province) in 1990; Company Commander 81st Battalion deployed at Mutara until 1993; Company Commander 74 Battalion from 1993- April 1994, While in DRC, SAMURAI Battalion Commander (Pepa, Mutotomoya, November 1998 to October 2000); GAVIAL Battalion Commander (Mutabi, Kamina April-September 2001); SOLEIL Battalion Commander (Mutabi, Kamina, (Kilembwe, Rulimba, September 2001-February, Deputy Commander 1st Division (February 2003-September 2007).

5. Juan **CARRERO** *(Paragraphs 112, 114 and 115, pages 29 & 30 of the Group's final report)*

Juan Carrero is a Spanish citizen, who runs an organization called Fundació S'Olivar. Fundació S'Olivar and Inshuti have been supporting FDLR, through regular financial, logistical and political support. These organizations run by Juan Carrero host a link to FDLR website enabling the FDLR political propaganda. These organizations also provide support to FDLR linked organizations in Kigoma and Uvila. Mr. Carrero has taken part in political activities with Felicien Kanyamibwa, now the USA based Executive Secretary of RUD-URUNANA.

Documents show that Fundació S'Olivar received 198,000 euros between 2001 and 2008 from the Fons Mallorquí de Solidaritat i Cooperació, a trust established by various mayoral offices in the Islas Baleares, in order to sustain the prosecution of officials of the Rwandan Patriotic Front (RPF) through the Spanish courts, which funds have ended in supporting FDLR through the local NGOs in Kigoma and Uvila.